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BANGALORE, THURSDAY, SEPTEMBER 16, 1909.

PART II.

JUDICIAL DEPARTMENT.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

Rule of Practice No. 83, dated 1st September 1909.

In supersession of R. P. No. 58, dated 1st September 1892, R. P. 67, dated 12th January 1899, and C. L. No. 94, dated 10th March 1891, the Chief Court, under Section 554 of the Code of Criminal Procedure and with the sanction of Government, issues the following rules for the submission of calendars:—

ORIGINAL JURISDICTION.

1. *Sessions Judges.*—Courts of Sessions Judges will transmit to the Chief Court copies of all judgments and orders, together with a tabular statement in the annexed form, within 48 hours after the date of pronouncing judgment or order in each case.

2. *District Magistrates.*—District Magistrates will forward to the Chief Court copies of all their judgments and orders, together with a tabular statement in all cases tried by them, including proceedings held under Chapters VIII, X, XI, XII and XXXVI of the Code of Criminal Procedure, within 24 hours after pronouncing the judgment or order.

3. *Sub-Division Magistrates and 1st Class Magistrates.*—Sub-Division Magistrates and all 1st Class Magistrates will submit copies of judgments and orders, together with a tabular statement to the District Magistrate, in all cases tried by them, including the proceedings held by them under Chapters VIII, X, XI, XII and XXXVI of the Criminal Procedure Code, within 24 hours after the close of the trial.

4. District Magistrates will, after perusal, forward them without delay to the Sessions

5. All 2nd and 3rd Class Magistrates will submit copies of judgments and orders passed by them, together with the prescribed statements, to the District Magistrate, and when there is a Sub-Division Magistrate, through such Magistrate, within 24 hours after the close of the trial. In the latter case the Sub-Division Magistrate will, after examining the statements, judgments and orders, forward them to the District Magistrate, bringing at the same time to the notice of the District Magistrate any errors or irregularities in the proceedings of the Subordinate Magistrate.

6. If an order of discharge is passed by a District Magistrate, under Section 209 of the Code of Criminal Procedure, a copy of the order will, in the first instance, be submitted to the Sessions Judge. If the order is passed by any other Magistrate, he will forward it to the District Magistrate, who will, without unnecessary delay, forward it to the Sessions Judge. Sessions Judges will forward these copies after perusal to the Chief Court.

7. Statements need not accompany copies of judgments or orders when cases are compounded, or are permitted to be withdrawn, or when they are dismissed for default of the complainant's appearance.

8. Sessions Judges and District Magistrates, to whom copies of judgments are submitted, will carefully examine them and report at once to the Chief Court any cases which, in their opinion, may call for revision.

APPELLATE JURISDICTION.

9. A copy of every judgment or order passed by Sessions Judges in the exercise of their appellate jurisdiction and a copy of every miscellaneous order passed by them under the provisions of the Criminal Procedure Code, finally disposing of any matter *sub judice*, will be submitted to the Chief Court within 48 hours after the passing of the same.

10. A copy of every judgment or order passed by District Magistrates in the exercise of their appellate jurisdiction and a copy of every miscellaneous order passed by them under the provisions of the Criminal Procedure Code, finally disposing of any matter *sub judice*, will be submitted to the Chief Court within 48 hours after the passing of the same.

11. Copies of judgments on appeal and of miscellaneous orders of the kind referred to in para 10 above passed by Sub-Division Magistrates and 1st Class Magistrates, will be submitted within 48 hours to the District Magistrate. The District Magistrate, after examining them, will forward them without delay to the Sessions Judge.

12. A copy of judgment passed on appeal which, under paras 9, 10 and 11, is required to be submitted to the Chief Court or the District Magistrate, shall invariably be accompanied by a copy of the judgment or order appealed against together with the statement accompanying such judgment or order.

13. The following are some of the points which Sessions Judges and District Magistrates will particularly notice when exercising their powers of supervision :—

(*a*) The rash or unnecessary issue of process.

(*b*) The dealing with disputed claims of right under color of a charge of criminal trespass or mischief and convictions for these offences without a finding as to the criminal intent.

(*c*) The suitability of the punishment inflicted on youthful offenders.

(*d*) The judicious or injudicious use of the powers conferred by Sections 250 and 562 of the Code.

(*e*) The indiscreet imposition of fines beyond the means of offenders.

(*f*) The light punishment, by inferior Courts, of offences requiring severe sentences in cases which ought to have gone up to superior Courts for enhanced punishment.

(*g*) The imposition of heavy fines in addition to imprisonment with a view, in default of payment, to extend the term of imprisonment beyond the ordinary powers of the Magistrate to inflict.

(*h*) The exaction of excessive bail or excessive security for keeping the peace or for good behaviour.

(*i*) Unnecessary delay in the disposal of cases.

V. A. RAJARATNA MUDALIAR,

Calendar of persons tried before the Court of

(1) Serial number

(2) Name of complainant

(3) Name of accused

(4) Father's name

(5) Caste

(6) Calling

(7) Age

(8) Residence

(9) Offence complained of

(10) Date of occurrence

(11) Date of complaint or report

(12) Date of arrest by the Police

(13) Date of first appearance before the Court

(14) Date of commencement of trial

(15) Date of close of trial

(16) Result of trial

(17) Number of adjournments

(18) Explanation of delay and remarks

Magistrate.

Instructions.

1. If the number of accused be large and the space against 3. Name of accused, 4. Father's name, 6. Calling, and 8. Residence, be found insufficient, the particulars may be entered in a separate sheet of paper and appended to this.

2. Explanations of delay should invariably be given if the interval between the date of appearance of the accused and the date of judgment or sentence is more than a fortnight.

3. If the case is received by transfer from another Court, the date of the first appearance of the accused and the number of adjournments in that Court, as well as the particulars of previous conviction will be noted against 18. "Explanation and remarks."

4. In the case of arrest, whether the accused was detained in custody or released on bail should invariably be stated under "Remarks;" and in the latter case, the date of release should also be given.

5. In No. 16. "Result of Trial," note—

Discharged under Section

Acquitted under Section

Or convicted under Section

and sentenced to

HASSAN DISTRICT.

Notice dated 20th August 1909.

The criminal records described in the statement attached hereto are arranged to be destroyed on the 1st day of December 1909, as per Criminal Rule of Practice No. 77, dated 7th December 1907.

All exhibits contained therein should be reclaimed before that date, by parties desiring to preserve them, as otherwise, they will be destroyed along with the records, on that date.

Statement showing the particulars of criminal records sorted and ordered to be destroyed in the Judicial Records of the District Office, Hassan.

No.	Name of Court	Year	Case numbers		
			Regular cases	Appeal cases	Miscellaneous cases
1	District Superintendent's Court, Hassan ...	1867	29	...	.....
2	Deputy Superintendent's Court, Hassan ...	1870	3, 33	...	.....
3	Assistant Superintendent's Court, Hassan ...	1870	4	...	.....
4	First Assistant Commissioner's Court, Hassan ...	1871	.....	...	127
	Do ...	1875	.....	...	2, 25, 40, 46, 54, 56.
	Do ...	1876	.....	...	4, 40
	Do ...	1877	23	...	.....
5	Second Assistant Superintendent's Court, Hassan.	1872	2	...	.....
6	District Magistrate, Hassan ...	1874	4, 32	...	.....
	Do ...	1875	38	...	.....
	Do ...	1876	11, 31, 33, 39 ...	...	.....
	Do ...	1878	36 ...	...	.....
	Do ...	1879	3, 5, 11	...	.....
	Do ...	1880	.....	10	.....
	Do ...	1881	2, 4	6, 7, 8	.....
	Do ...	1882	1	...	.....
	Do ...	1887	23, 27, 32 ...	54, 56, 83	9
7	Judicial Assistant Commissioner and 1st Class Magistrate's Court, Hassan...	1877	25, 34, 41, 65, 97 ...	...	.....
	Do ...	1878	14	...	.....
8	Sub-Division Magistrate's Court, Alur ...	1877	33	...	.....
9	Sub-Division Magistrate's Court, Manjarabad ...	1878	21	...	.....
10	Sub-Division Magistrate's Court, Kikkeri ...	1879	25, 41	...	.....
11	General Assistant Commissioner and 1st Class Magistrate, Hassan ...	1879	69	...	.....
	Do ...	1880	39, 58, 77 ...	...	.....
	Do ...	1881	3, 19, 29, 31, 40, 76, 77, 79	...	.....
	Do ...	1882	15, 24, 27, 28, 31 ...	...	.....
	Do ...	1886	7, 70	...	.....
	Do ...	1887	36, 52, 64, 65, 66, 74, 94, 109, 137	...	.....
12	Second Class Magistrate's Court, Hassan ...	1879	2	...	.....
	Do ...	1880	23, 48	...	.....
	Do ...	1881	2, 23, 54, 56	...	.....
	Do ...	1882	5, 49, 60, 98 ...	...	.....
13	First Class Magistrate's Court, Hassan ...	1879	22, 54, 56, 57, 60, 62 ...	...	.....
	Do ...	1883	13, 26, 32, 41, 66, 89,		

No.	Name of Court	Year	Case numbers		
			Regular cases	Appeal cases	Miscellaneous cases
	First Class Magistrate's Court, Hassan	1884	7, 17, 18, 21, 32, 63, 119	16	50
	Do	1885	30, 43, 48, 57, 69 ...	.....	61, 100, 204
14	Subordinate Judge and 1st Class Magistrate, Hassan	1880	1, 10, 31, 44, 60 ...	.....	.....
	Do ...	1881	7, 12, 13, 21, 81	.....	.....
	Do ...	1882	29, 49, 50, 57, 70, 80, 89	.....	.....
15	Munsiff Magistrate, Hassan	1881	10	.....	.....
	Do ...	1883	56	.....	.....
	Do ...	1886	.....	.....	58, 60, 66, 68, 75, & 76.
	Do ...	1887	3, 60	.....	44
16	Munsiff Magistrate, Hole-Narsipur ...	1884	37	.....	.....
	Do ...	1885	12	.....	.....
	Do ...	1886	7, 9, 39, 42, 47	.....	.....
	Do ...	1887	2	.....	.....

NARASINGA RAO PURNAIYA,
For *Dist. Magte.*

IN THE COURT OF THE MUNSIFF AT KOLAR GOLD FIELDS.

Miscellaneous Case No. 63 *of* 1909-10.

Vulikal Venkatamuni Naidu, residing at Kennady Shop Line, Nandidrug Camp ... ... *Petitioner.*

Whereas the petitioner has made application to this Court, under Section 344, Civil Procedure Code, praying that he may be declared an insolvent; all persons indebted to the said insolvent or who have any of his estate or effects are hereby required forthwith to pay or deliver the same to this Court. If any creditor intends to oppose this application, he may appear before this Court on the 5th day of October 1909, either in person or by a pleader or agent duly authorized and instructed and show cause why the petition should not be granted.

Given under my hand and the seal of the Court, this 3rd day of September 1909.

Miscellaneous Case No. 636 *of* 1908-09.

K. V. Ramasawmy Naidu, Painter Mestri, Carpenters' Shop, Champion Reefs ... ... *Petitioner.*

Whereas the petitioner has made application to this Court, under Section 344, Civil Procedure Code, praying that he may be declared an insolvent; all persons indebted to the said insolvent or who have any of his estate or effects are hereby required forthwith to pay or deliver the same to this Court. If any creditor intends to oppose this application, he may appear before this Court on the 28th day of September 1909, either in person or by a pleader or agent duly authorized and instructed and show cause why the petition should not be granted.

Given under my hand and the seal of the Court, this 3rd day of September 1909.

T. S. A. D'CRUZ,
Munsiff.